

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA)
v.) Case No. 3:21cr42
KEITH RODNEY MOORE,)
Defendant)

MOTION TO TEMPORARILY MODIFY RELEASE CONDITIONS TO ALLOW MR. MOORE TO ATTEND HIS PARTNER'S PRENATAL APPOINTMENTS

Keith Moore, through counsel, moves the Court to temporarily modify his current release conditions to allow Mr. Moore to attend his partner's prenatal appointments for their developing twins. In support of this motion, Mr. Moore states the following:

1. The government indicted Mr. Moore on May 4, 2021, alleging that he was a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g), on December 5, 2020.
2. Mr. Moore made his initial appearance in this Court on this case on June 1, 2021, and was ordered released on conditions at his detention hearing on June 4, 2021. *See* ECF Nos. 8, 12. On September 7, 2021, the probation officer filed a petition to revoke Mr. Moore's release based on a then-pending misdemeanor charge in Richmond City General District Court that has since been dismissed. *See* ECF No. 37. On October 14, 2021, the Court dismissed that petition at the request of the government and again ordered Mr. Moore released on conditions. *See* ECF No. 57. On May 18, 2022, the probation officer filed a petition regarding a violation of Mr. Moore's release conditions. *See* ECF No. 74. The parties agreed to release Mr. Moore with the added condition that he not drink alcohol. *See*

ECF No. 78. On July 18, 2022, the government moved to dismiss the petition in ECF No. 74, *see* ECF No. 95, and Mr. Moore has remained on release conditions since that time.

3. Mr. Moore's release conditions include that he be on home detention with approval to leave his home (in coordination with the United States Probation Office) for "employment; education; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervision officer" *See* ECF No. 12 at 2.
4. Mr. Moore and his partner have recently conceived twins. His partner is receiving prenatal care through St. Mary's Hospital in Richmond, Virginia. His partner's next prenatal appointment for the twins is Monday, December 12, 2022, at 10:20 a.m.
5. When Mr. Moore was arrested on this charge in the late spring 2021, he was released on certain conditions. At that time, Mr. Moore was expecting the birth of his now youngest son with a different partner. The Court ordered Mr. Moore released with the following condition: "Defendant may, with advanced permission of pretrial services, take his mother to medical appointments, attend the birth of his child, and attend doctor's appointments for his children." *See* ECF No. 12 at 3. After Mr. Moore and the mother of the child experienced significant strife in their relationship that resulted in Mr. Moore's incarceration for a period of time, the Court modified the condition set forth above by striking the language: "attend the birth of his child, and attend doctor's appointments for his children." *See* ECF No. 57 at 1. Mr. Moore and the mother of his twins have been in a romantic relationship for nearly a year at this point and have not had the same strife that Mr. Moore experienced with the mother of his youngest son. It is very important to Mr. Moore and to the mother of his twins that Mr. Moore be present to support her at the

prenatal appointments and be able to readily participate in medical decisions about their developing twins.

6. Undersigned counsel has communicated with Shea Gibbons and Erik Seibert, who represent the government in this case, as well as the United States Probation Office about this request. The United States Probation Office's policy is to oppose such requests for the medical appointments of family members, and the United States Probation Office, represented here by Tanya Smith, maintains that position in this case. The government similarly objects to this request. Ms. Smith has relayed, however, that if this Court approves the modification, the United States Probation Office will gladly comply with the Court's Order and make the necessary adjustments to Mr. Moore's home detention schedule.

Thus, Mr. Moore moves the Court to temporarily modify his current release conditions to allow Mr. Moore to attend his partner's prenatal appointments for their developing twins.

Respectfully submitted,
KEITH RODNEY MOORE

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